

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**J.K., a minor by and through his parents
and natural guardians, Thomas Kpakah
and Esther Kpakah,
THOMAS KPAKAH and
ESTHER KPAKAH, in their own right,
Plaintiffs,**

CIVIL ACTION

NO. 14-729

v.

**CSX TRANSPORTATION,
RAYMOND LAWRENCE WASH and
MICHAEL L. DOYLE, SR.,
Defendants.**

ORDER

AND NOW, this 29th day of June, 2015, upon consideration of Defendant CSX Transportation Inc.'s Motion to Compel Depositions of Thomas Kpakah, Esther Kpakah and J.K. (Document No. 57, filed May 28, 2015); Defendant CSX Transportation Inc.'s Motion to Enforce the Court's Order of March 9, 2015 and for Entry of the Protective Orders (Document No. 58, filed May 29, 2015); Plaintiffs' Motion for a Voluntary Dismissal Without Prejudice Under Fed. R. Civ. P. 41(a)(2) (Document No. 59, filed June 3, 2015); a letter from counsel for defendants dated May 8, 2015;¹ and the related filings of the parties, for the reasons stated in the accompanying Memorandum dated June 29, 2015, **IT IS ORDERED** as follows:

1. Plaintiffs' Motion for a Voluntary Dismissal Without Prejudice Under Fed. R. Civ. P. 41(a)(2) is **GRANTED**;
2. The case is **DISMISSED WITHOUT PREJUDICE**;
3. Defendant CSX Transportation, Inc.'s Motion to Compel Depositions of Thomas

¹ A copy of the letter from counsel for defendants dated May 8, 2015, shall be docketed by the Deputy Clerk.

Kpakah, Esther Kpakah and J.K., and Motion to Enforce the Court's Order of March 9, 2015 and for Entry of the Protective Orders, are **DENIED AS MOOT**; and

4. The Clerk of Court shall **MARK** the case **CLOSED FOR STATISTICAL PURPOSES**.

BY THE COURT:

/s/ Hon. Jan E. DuBois
DuBOIS, JAN E., J.